



# Defense Reutilization & Marketing Service

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## ENVIRONMENTAL SYMPOSIUM CO AND COR/COTR COMMUNICATIONS



# "CONTRACTING OFFICER" DEFINED FAR 2.1

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A PERSON WITH AUTHORITY TO ENTER INTO, ADMINISTER, AND/OR TERMINATE CONTRACTS AND MAKE RELATED DETERMINATIONS AND FINDINGS. THE TERM INCLUDES CERTAIN AUTHORIZED REPRESENTATIVES OF THE CONTRACTING OFFICER ACTION WITHIN THE LIMITS OF THEIR AUTHORITY AS DELEGATED BY THE CONTRACTING OFFICER.



# LETTER OF DELEGATION SHALL...

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- BE IN WRITING
- CLEARLY DEFINE THE SCOPE AND LIMITATIONS OF THE COR'S AUTHORITY
- INCLUDE THE STATEMENT THAT COR AUTHORITY CANNOT BE REDELEGATED



# AUTHORITY LIMITATIONS

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- A COR shall not:
  - Award or agree to any contract or modification
  - Obligate the payment of money by the Government
  - Alter the contract in any way, either directly or by implication
  - Take any action, including discussions with generators and  
contractors, which affects delivery schedules or  
scope of work
  - Accept services not required by the contract
  - Issue instructions to the contractor to start or stop work
  - Permit the generator to work around contract  
requirements  
(i.e., utilize expedited removals as the norm  
i/l/o standard removals)



# PERFORMANCE-BASED CONTRACTS

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- Performance-Based Contracts (PBCs)
  - Federal mandated for use in contracts for services
  - Implemented in new DRMS HW Contracts in October 2005
  - Describes the requirements in terms of results required rather than the methods of performance of the work
  - Sets measurable Acceptable Performance Levels (attached to contracts)
  - Describes how the contractor's performance will be evaluated
  - Identifies positive and negative incentives
  - Encourages contractors to be innovative and to find cost-effective ways of delivering services
  - Will only be effective if you accurately report contractor performance and COs take appropriate action



# CONTRACTOR INTERACTION

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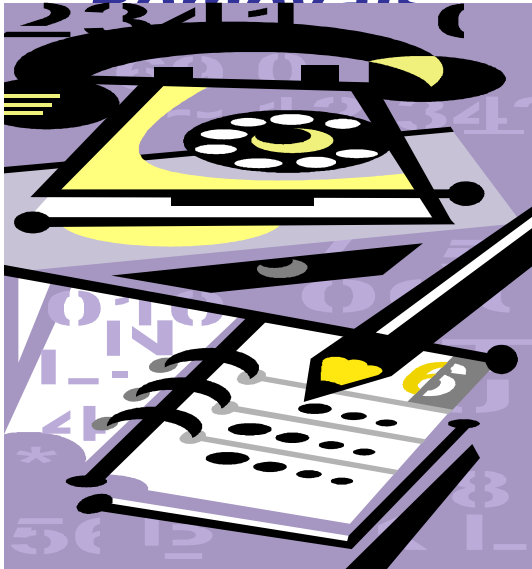
- **Appropriate interaction with contractor personnel is vital**
- **It is critical that individuals know their role in this interaction**
  - Authority is appointed at specific levels dependant upon involvement, which limits liability to the Government
  - Ultimately the only individuals authorized to direct a contractor is the Contracting Officer
- **Gone are the days of mistrust - contractors are our disposal partners**
  - Establish a working rapport
  - Be flexible when allowable
  - Do not give an appearance of favoritism

# COR RESPONSIBILITIES Prior to Removal

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- **Notification by Contractor**
- **Verification of Paperwork Accessibility**
- **Scheduling Removals**





# COR RESPONSIBILITIES DURING REMOVAL

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- **Monitoring Performance**

- You must monitor contractor performance throughout the entire pickup/service
- Only your CO can authorize you to perform less than 100% surveillance
  - Do not leave your contractor unattended even momentarily
  - Do not allow them to do anything that jeopardizes safety and/or conflicts with contract and/or regulatory requirements
- Record all weight or CLIN discrepancies on the Pick-up Report
- Do not allow the contractor to remove more property or perform additional services than what is identified on the TO without prior approval from your CO



# COR RESPONSIBILITIES AFTER REMOVAL

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- **Collection Summary Report (CSR)**

- CSRs provide COs with critical and mandatory feedback on contractor performance
- Your CSRs must be complete and accurately portray performance...report the good, the bad and the ugly!
- The CO relies on this information to determine if the contractor is performing at an acceptable level
- COs can:
  - Take monetary consideration against a contractor for failing to meet set APLs
  - Document a contractor's past performance file based on your CSRs in relation to the APLs
  - Terminate a contract if necessary



# COR RESPONSIBILITIES AFTER REMOVAL

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## Closing the Loop

Furnish a copy of the CSR, along with copies of any manifests, LDRs or other paperwork to your CO as quickly as possible

Notify them of any problems during removal but immediately follow-up with written CSR documentation

Retain a copy of the CSR in your COR file for that Task Order

Develop a separate CSR for each pick-up performed

Include, if used, a copy of the COR Checklist in the package sent to your CO



# ACCEPTABLE PERFORMANCE LEVELS

## DELIVERABLES

	A	B	C	D	E	F	G	H
	DELIVERABLE	PHASE	STANDARD	TIME FRAME	CLAUSE	ACCEPTABLE PERFORMANCE LEVEL (APL)	REDUCTION FOR FAILED APL	METHOD OF SURVEILLANCE
1	Compliant Removal	Pre-Removal	Submittal of shipping documentation is timely	See C.1.1.2	C.1.1.2	100% timely	25-100% consideration & past performance annotated	CSRs and other COR/customer feedback
2								
3			Submittal of shipping documentation is accurate	See C.1.1.2	C.1.1.2	95% accurate*	25-100% consideration & past performance annotated	Same as above
4			Notifications timely	See C.1.1.3	C.1.1.3	100% timely	Same as above	Same as above
5		Removal	Safe, compliant, timely removal and transportation service	See C.1.2	C.1.2	100% timely, safe and compliant	Same...	Same as above
6		Post-Removal	Compliant transportation, any interim storage, & shipment to initial qualified TSDF including return manifest	Return of manifest or applicable shipping paper within 40 CFR 262.42(a)(2), state equivalent, or contract timeframe.	C.1.3	100% timely	Same...	Same as above
7	Compliant Disposal/Recycling	Disposal (or recycling)	Timely & proper disposal/recycling as per waste regulatory/contract requirements	See C.2	C.2	100% timely and accurate for RCRA, PCB, CGCs and Demil required waste; 95% accurate for non-RCRA	Same**	CO, tracking, BOSS



# •COR/COTR Files...A Look at the Type of Documents You Should Maintain

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## **Basic Contract File**

- Copy of contract and all modifications
- Any correspondence related only to the contract and not to a particular Task Order
- Copy of your letter of appointment, including signed ethics statement
- Reports of inspections on the contractor or generator
- Records of contractor's inspection system or quality control plan
- Copies of any MFRs relating only to the contract

## **Task Order File**

- Copy of Task Order and all modifications
- Copies of the 1348-1A or printed Due-in Report or electronic copy
- Correspondence to and from the contractor or CO
- Pick-up Reports, CSRs and completed COR Checklists (if used)
- Copies of MFRs relating specifically to the Task Order
- Any photographs of specific property on a Task Order
- Deficiency Reports, including manifest discrepancy letters filed to the State
- Any and all manifest paperwork - including return copies, restricted waste notification or any other shipping documentation



# **Current COR Training Requirements**

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- **DRMS COR Training**
  - **Two Methods**
    - 1. On-Site Training by DRMS Contracting**
    - 2. DAU Continuous Learning Modules**
      - a. CLC 106 - COR With A Mission Focus**
      - b. CLM 102 - Contracting Overview**

## **Environmental Training**

- 1. Safety and Health For Handlers of HM/HW**
- 2. Resource Conservation and Recovery Act (RCRA)  
Facility Compliance**
- 3. Transportation of HM/HW For The DoT**
- 4. DRMS Study Period #74 (For CORs only, doesn't apply to COTRs)**



# Future COR Training Requirements

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Effective September 23, 2008

Per DLAD 1.602-2

COR Training divided into 3 types

1. Type A: Low performance risk, FFP, COR duties generally limited to minimal technical and/or administrative monitoring of the contract
  - a. Initial Training - *CLC 106 or equivalent, CLM 003, Additional DLA mandated training*
  - b. Refresher Training - 8 hr min of COR specific training every 2 years, CLM 003 annually, additionally mandated training by DLA
2. Type B: Other than low risk requirements (i.e. more complex work, contract has incentive arrangements, cost-type services \, multiple locations) COR responsibilities are of increasing complexity
  - Initial training - 36 hrs min, CLM003, Refresher - 16 hrs every 2 yrs, CLM003



# Future COR Training Requirements, cont.

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**Type C:** Unique contract requirements that necessitate specialized training (e.g. environmental, OCONUS Contingency, Major Weapons) COR duties/responsibilities are highly complex or specialized.

- a. Initial Training – 36 Hrs of COR training that is designed to meet the Type B expected performance outcomes (e.g. DAU/ALMC Ft. Lee), Mandatory Specialized/Technical Training as determined by the Agency.
- b. Refresher Training – 16 hrs of COR specific training every 2 years or prior to assuming COR duties if individual has not served as COR within last 2 yrs. CLM 003 annually, Any additional mandatory specialized training



# COR Evaluations

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**Annually:** CO provides performance evaluation to COR's supervisor for consideration in annual performance appraisal.

**Interim:** Any time there are concerns with COR performance. The CO has the responsibility to address them with the COR's immediate supervisor. The supervisor has the responsibility to identify certain performance concerns to the CO, if those concerns can/do affect COR performance.

*The COR also has the responsibility to address any concerns related to the CO/CS to their supervisor.*



# CONCLUSION

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## ONE TEAM ONE FOCUS

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